

OCT 06 2003
OCT 06 2003
1631

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

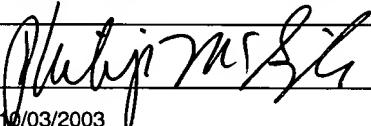
(to be used for all correspondence after initial filing)

		Application Number	09/824,931
		Filing Date	04/03/2001
		First Named Inventor	Mittmann, et. al.
		Art Unit	1631
		Examiner Name	Ardin H. Marschel
Total Number of Pages in This Submission	4	Attorney Docket Number	3381

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Philip L. McGarrigle- Reg. No. 31,395
Signature	
Date	10/03/2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Lori Knapp		
Signature		Date	10/03/2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
Attorney Docket No. 3381

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mittman, et. al.

Examiner: Ardin H. Marschel

Serial No: 09/824,931

Art Unit No.: 1631

Filing Date: April 3, 2001

**Title: Photolithographic Method and
System for Efficient Mask Usage in
Manufacturing DNA Arrays**

Commissioner for Patents
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT

Examiner:

In response to the September 9, 2003 Restriction Requirement, the Examiner is requiring an election between the following groups of claims:

- I. Claims 1-16, 27, and 28; drawn to a method, system or computer program product for synthesizing polymers on a substrate wherein sequential alignment of two or more of a plurality of reticles is performed associated with a synthesis area, classified in classes 530 and 536, subclasses 333 and 25.3, respectively.
- II. Claims 17-22; drawn to an irradiation mask and a method for its manufacture, classified in class 430, subclass 5.
- III. Claims 23-26, and 42-48; drawn to a probe array, classified in class 536, subclass 23.1.
- IV. Claims 29-41, and 49-51; drawn to a method, system, or computer program product for synthesizing polymers on a substrate wherein a mask is first aligned regarding a first reticle area and then re-aligned for a second reticle area as associated with a synthesis area, classified in classes 530 and 536, subclasses 333 and 25.3 respectively.

Applicants elect the invention of Group I (claims 1-16, 27, and 28) with traverse.
Applicants respectfully submit that the subject matter of Groups I and IV are so interrelated as to make a search of the two groups of claims not overly burdensome. Applicants reserve the right to re-present non-elected claims in a divisional or other related application.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Respectfully submitted,



Philip L. McGarrigle
Reg. No. 31,395

Date: Oct. 2, 2003

Customer No.: 22886
Affymetrix, Inc.,
Legal Department
3380 Central Expressway
Santa Clara, CA 95051
Tel: 781-280-1522 (Wm. McCarthy); Fax: 781-687-9090

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OCT 06 2003
PATENT
FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 0

Complete if Known

Application Number	09/824,931
Filing Date	04/03/2001
First Named Inventor	Mittmann, et. al.
Examiner Name	Ardin H. Masrachel
Art Unit	1631

Attorney Docket No. 3381

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order Deposit Account:Deposit
Account
Number

Deposit
Account
Name

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.			
1053	130	1053	130	Non-English specification			
1812	2,520	1812	2,520	For filing a request for reexamination			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action			
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action			
1251	110	2251	55	Extension for reply within first month			
1252	420	2252	210	Extension for reply within second month			
1253	950	2253	475	Extension for reply within third month			
1254	1,480	2254	740	Extension for reply within fourth month			
1255	2,010	2255	1,005	Extension for reply within fifth month			
1401	330	2401	165	Notice of Appeal			
1402	330	2402	165	Filing a brief in support of an appeal			
1403	290	2403	145	Request for oral hearing			
1451	1,510	1451	1,510	Petition to institute a public use proceeding			
1452	110	2452	55	Petition to revive – unavoidable			
1453	1,330	2453	665	Petition to revive – unintentional			
1501	1,330	2501	665	Utility issue fee (or reissue)			
1502	480	2502	240	Design issue fee			
1503	640	2503	320	Plant issue fee			
1460	130	1460	130	Petitions to the Commissioner			
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)			
1806	180	1806	180	Submission of Information Disclosure Stmt			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)			
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))			
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))			
1801	770	2801	385	Request for Continued Examination (RCE)			
1802	900	1802	900	Request for expedited examination of a design application			

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0

*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Philip L. McGarigle	Registration No. (Attorney/Agent)	31,395	Telephone	408-731-5000
Signature				Date	10/03/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.